

JUSTIFICATION OF PROGRAM AND PERFORMANCE

Activity: Other Permanent Appropriations

Program Components	2001 Estimate	2002 Budget Estimate	Change From 2001 (+/-)
A. Park Concessions Franchise Fees and Concessions Improvement Accounts*	47,400	51,600	+4,200
B. Park Buildings Lease and Maintenance Fund	1,000	2,000	+1,000
C. Operation and Maintenance of Quarters	15,400	15,400	0
D. Filming and Photography Special Use Fee Program	2,500	3,000	+500
E.1. Glacier Bay National Park Resource Protection	[430]	[430]	[0]
E.2. Delaware Water Gap National Recreational Area Route 209 Operations	[120]	[120]	[0]
E.3. National Maritime Heritage Grants	[0]	[0]	[0]
E. Subtotal	550	550	+0
Total Requirements \$(000)	66,850	72,550	+5,700

* The Concessions Improvement Accounts portion of these amounts is \$26.2 million in FY 2001 and \$10.6 million in FY 2002.

AUTHORIZATION

Park Concessions Franchise Fees. Title IV, the National Park Service Concessions Management Improvement Act of 1998, of Public Law 105-391, the National Parks Omnibus Management Act of 1998 (112 Stat. 3503). (16 U.S.C. 5951-5966.)

Park Buildings Lease and Maintenance Fund. Public Law 105-391, section 802 (112 Stat. 3522). (16 U.S.C. 1a-2(k).)

Operation and Maintenance of Quarters. 5 U.S.C. 5911 and Public Law 98-473, section 320 (98 Stat. 1874), as amended by: Public Law 100-446, section 316 (102 Stat. 1826); and Public Law 101-121, section 317 (103 Stat. 745) (5 U.S.C. 5911 note shows text of law as amended).

Filming and Photography Special Use Fee Program. Public Law 106-206. (16 U.S.C. 4601-6d.)

Glacier Bay National Park Resource Protection. Public Law 104-333, section 703 of Division I (110 Stat. 4185) as amended by Public Law 106-176, section 118 (114 Stat. 28). (16 U.S.C. 1a-2(g).)

Delaware Water Gap National Recreation Area, Route 209 Operations. Public Law 98-63, Chapter VII (97 Stat. 329) as amended by: Section 117 of Public Law 98-151 (97 Stat. 977); Public Law 99-88, Chapter VII (99 Stat. 343); and Public Law 104-333, Section 702 of Division I (110 Stat. 4185).

National Maritime Heritage Grants. 16 U.S.C. 5401-5408 including: Public Law 105-85, section 1026 (111 Stat. 1878); and H.R. 5408, section 3502, as enacted by Public Law 106-398.

Other Permanent Appropriations

OVERVIEW

This activity includes the several permanent appropriations that are not derived from recreation fees.

The Delaware Water Gap, Route 209 Operations account and the National Maritime Heritage Grants account are combined with the Glacier Bay National Park Resource Protection account for presentation purposes, in accordance with Administration policy. Separate accounts are maintained for accounting purposes for all items in this section.

APPLICABLE NATIONAL PARK SERVICE MISSION GOALS

- Ia Natural and cultural resources and associated values are protected, restored and maintained in good condition and managed within their broader ecosystem and cultural context.
 - Ib The National Park Service contributes to knowledge about natural and cultural resources and associated values; management decisions about resources and visitors are based on adequate scholarly and scientific information.
 - IIa Visitors safely enjoy and are satisfied with the availability, accessibility, diversity, and quality of park facilities, services, and appropriate recreational opportunities.
 - IIb Park visitors and the general public understand and appreciate the preservation of parks and their resources for this and future generations.
 - IIIa Natural and cultural resources are conserved through formal partnership programs.
 - IVa The National Park Service uses current management practices, systems, and technologies to accomplish its mission.
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A. Park Concessions Franchise Fees and Concessions Improvement Accounts Estimated Program and Anticipated Accomplishments

All franchise fees and other monetary consideration paid to the United States pursuant to concessions contracts under the National Park Service Concessions Management Improvement Act of 1998 are deposited in a special account, Park Concessions Franchise Fees, and used in the National Park System. Eighty percent of the funds collected are retained and used by the collecting park unit for visitor services and to fund high-priority and urgently necessary resource management programs and operations, and 20 percent are used to support activities throughout the National Park System. In FY 2000, \$16,463,000 was retained in this account by the National Park Service. For FY 2001, receipts are estimated to be \$21,200,000.

For FY 2002, receipts are estimated to be \$41,000,000, a significant increase from FY 2001. Increases in this account are expected to continue in future years as concession contracts are reissued under the authority of the National Park Service Concessions Management Improvement Act of 1998. Under previous legislation, the NPS was required to grant a right of preference in contract renewal to concessioners who had performed satisfactorily. The new law eliminates this preference for most of the larger concessioners, granting it only to those concessioners with annual gross receipts of less than \$500,000 and to all outfitters and guides. Because of the elimination of this statutory right, the Service expects increased competition for larger contracts, which will result in improved visitor services. The general trend should also be an increasing return to the Government as competition begins to take affect under the new legislation.

This conversion process will undoubtedly result in some contracts with significantly different franchise fees as construction, investment and maintenance requirements are weighed against the concessioner's ability to pay franchise fees. The resulting prospectus financial package will balance the various financial obligations, including possessory interest liability where it exists, in order to determine that the new fee represents the probable value of the proposed contract. As a result, the Service expects some fees to decrease but the general trend should be higher fees as competition begins to take effect under the new legislation. A few current concession contracts under the old legislation

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contain possessory interest reduction clauses that represent a financial benefit flowing to the Government but represent generally lower franchise fees.

Concessions Improvement Accounts: Some older National Park Service contracts with private concessioners require the concessioner to deposit a portion of gross receipts or a fixed sum of money in a separate bank account. With NPS approval, these funds are expended for improvement to facilities that directly support concession visitor services. Concessioners do not accrue possessory interest for improvements funded from these accounts. The National Park Service is committed to transforming these current Concessions Improvement Accounts requirements to standard franchise fee payments under the National Park Service Concessions Management Improvement Act of 1998 as these older concession contracts expire and when contract fee reconsiderations allow. As a result, a significant reduction in receipts in the Concessions Improvement Accounts is estimated for FY 2002.

B. Park Buildings Lease and Maintenance Fund Estimated Program and Anticipated Accomplishments

Pursuant to the provisions of section 802(a) of Title VIII of Public Law 105-391, rental payments under a lease for the use of buildings and associated property administered as part of the National Park System are to be deposited in a special Park Buildings Lease and Maintenance Fund account to be used for infrastructure needs in the National Park System. Regulations are currently being promulgated by the Secretary, as required by Public Law 105-391, to implement and regulate new leasing procedures. Public Law 105-391 provides that funds be used for infrastructure needs at units of the National Park System, including facility refurbishment, repair and replacement, infrastructure projects associated with park resource protection, and direct maintenance of the leased buildings and associated properties.

For FY 2001, it is estimated that receipts will be \$1,000,000. For FY 2002, it is estimated that receipts will increase to \$2,000,000 as the program is further implemented. Funds will primarily be used for authorized infrastructure needs at the respective park units where collected, including direct maintenance and repair of the buildings leased.

C. Operation and Maintenance of Quarters Estimated Program and Anticipated Accomplishments

Rental payments are deducted from the pay of National Park Service employees occupying housing units in National Park System areas in accordance with 5 U.S.C. 5911, and are deposited in a special fund and used to operate and maintain these Government-owned quarters throughout the National Park System in a safe and habitable condition for employees and their families in accordance with Public Law 98-473 as amended by Public Law 100-446.

For FY 2001, receipts are estimated to be \$15,400,000, approximately equal to FY 2000.

In FY 2000, the National Park Service recorded charges totaling \$1,232,580 for housing maintenance and operations in the Operation of the National Park System appropriation in addition to the funds derived from the quarters rental income. This statement is provided as required by section 814(a)(14) of Division I of Public Law 104-333.

For FY 2002, receipts are estimated to be \$15,400,000, equal to FY 2001.

Performance Goals

Long-term Goal IVa5	By September 30, 2005, 60% of employee housing units listed in poor or fair condition in 1997 assessments will be rehabilitated to good condition, replaced, or removed.
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Annual Goal IVa5	By September 30, 2002, 35% of employee housing units listed in poor or fair condition in 1997 assessments will be rehabilitated to good condition, replaced, or removed.
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D. Filming and Photography Special Use Fee Program Estimated Program and Anticipated Accomplishments

Pursuant to the provisions of Public Law 106-206, revenue from fees collected from issuing permits to use park lands and facilities for commercial filming, still photography, and similar commercial activities are to be retained and used at the sites where collected, in accordance with the formula and purposes established for the Recreational Fee Demonstration Program. Regulations and fees are currently being promulgated by the Secretary in accordance with Public Law 106-206 to implement and regulate this recently authorized program. For FY 2001, it is estimated that receipts will be \$2,500,000. For FY 2002, it is estimated that receipts will increase to \$3,000,000 as the program is further implemented.

E.1. Glacier Bay National Park, Resource Protection Estimated Program and Anticipated Accomplishments

Sixty percent of the revenues from fees paid by tour boat operators or other permittees for entering Glacier Bay National Park are deposited into a special account and used to fund certain activities to protect resources of the park from harm by permittees, in accordance with section 703 of Division I of Public Law 104-333. The activities authorized for funding through the special account are acquisition and prepositioning of emergency response equipment to prevent harm to aquatic park resources from permittees, and investigations to quantify any effect of permittees' activity on wildlife and other natural resource values of the park, to help determine any appropriate limitations on permittees' activities. For FY 2001, receipts are estimated to be \$430,000.

For FY 2002, receipts are estimated to be \$430,000, equal to the amount for FY 2001.

E.2. Delaware Water Gap National Recreation Area, Route 209 Operations Estimated Program and Anticipated Accomplishments

Funds collected from fees for commercial use of U.S. Route 209 within the boundaries of Delaware Water Gap National Recreation Area are used for the management, operation, construction, and maintenance of U.S. Route 209 within the park boundaries. By law, U.S. Route 209 within the boundaries of Delaware Water Gap National Recreation Area is closed to commercial vehicular traffic, except for that based within the recreation area, or serving businesses and persons located within or contiguous to its boundaries, or with business facilities located or serving in certain nearby counties. The law further authorizes a limited fee for the use of Route 209 by commercial vehicles driving through the recreation area as allowed by law. After the authority to collect fees expired in 1993, this authority was restored in November of 1996 by section 702 of Division I of Public Law 104-333. For FY 2001, receipts are estimated to be \$120,000.

For FY 2002, receipts are estimated to be \$120,000, equal to the amount for FY 2001.

E.3. National Maritime Heritage Grants Estimated Program and Anticipated Accomplishments

Twenty-five percent of any revenues received from the sale of obsolete vessels in the National Defense Reserve Fleet are used to provide matching grants to State and local governments and private nonprofit organizations under the National

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Maritime Heritage Grants Program, for certain maritime heritage education and preservation purposes, and for related administrative expenses, in accordance with 16 U.S.C. 5401-5408.

For FY 2001 and FY 2002, no receipts are estimated. Sales have been halted by the cost of removing hazardous waste to comply with Government requirements. Although it is possible that some vessels will be sold, it is not certain at this time, and no estimates of revenues from sales have been provided. The cost of removing hazardous waste and the continuing deterioration of the vessels are factors working against their sale. The authorizing law for this program was amended October 30, 2000 by H.R. 5408, section 3502, as enacted by Public Law 106-398, the National Defense Authorization Act for fiscal year 2001. The amendment includes provisions extending the due date for sale of the vessels to September 30, 2006, and authorizing scrapping of some of the vessels at Government cost, not affecting the National Park Service.

DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
OTHER PERMANENT APPROPRIATIONS

Unavailable Collections (in millions of dollars)

Identification code 14-9924-0-2-303	2000 actual	2001 estimate	2002 estimate
01.99 Balance, start of year	0	0	0
Receipts:			
02.20 Rents and charges for quarters	15	15	15
02.21 Park buildings lease and maintenance fund	0	1	2
02.22 Concessions improvement accounts*.	30	26	11
02.23 User fees for filming and photography on public land	0	3	3
02.24 Glacier Bay National Park resource protection	1	1	1
02.25 Park concessions franchise fees	16	21	41
02.99 Total receipts	62	67	73
Appropriation:			
05.00 Other Permanent Appropriations	-62	-67	-73
07.99 Total balance, end of year	0	0	0

*Concessions Improvement Accounts (not an appropriation, but shown in Budget Appendix): Some National Park Service agreements with private concessioners providing visitor services within national parks required the concessioners to deposit a portion of gross receipts or a fixed sum of money in a separate bank account. With park approval, a concessioner expends funds from such an account for improvement to facilities that directly support concession visitor services, but would not otherwise be funded through the appropriation process. Concessioners do not accrue possessory interests from improvements funded through these accounts. The National Park Service Concessions Management Improvement Act of 1998 will result in a reduction of funds deposited into these accounts since income from the new agreements would be credited to the new Park Concessions Franchise Fees account available to the Park Service without further appropriation for park improvements.

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Program and Financing (in millions of dollars)

Identification code 14-9924-0-2-303	2000 actual	2001 estimate	2002 estimate
Obligations by program activity:			
00.01 Operation and maintenance of quarters	15	15	15
00.02 Park buildings lease and maintenance fund	0	1	2
00.03 Concessions improvement accounts*.	19	26	11
00.04 Filming and photography special use fee program	0	3	3
00.05 Glacier Bay National Park resource protection and other accounts	0	1	1
00.06 Park concessions franchise fees	4	19	38
10.00 Total new obligations	38	65	70
Budgetary resources available for obligation:			
21.40 Unobligated balance carried forward, start of year	67	91	93
22.00 New budget authority (gross)	62	67	73
23.90 Total budgetary resources available for obligation	129	158	166
23.95 Total new obligations	-38	-65	-70
24.40 Unobligated balance carried forward, end of year	91	93	96
New budget authority (gross), detail:			
Mandatory:			
60.25 Appropriation (special fund, indefinite)	62	67	73
Change in unpaid obligation:			
72.40 Unpaid obligations, start of year	4	5	1
73.10 Total new obligations	38	65	70
73.20 Total outlays (gross)	-38	-69	-59
72.40 Unpaid obligations, end of year	5	1	12

*See footnote on previous page.

Amounts may not add to totals due to rounding.

OTHER PERMANENT APPROPRIATIONS

Program and Financing (in millions of dollars) (continued)

Identification code 14-9924-0-2-303		2000 actual	2001 estimate	2002 estimate
Outlays (gross), detail:				
86.97	Outlays from new mandatory authority	6	9	16
86.98	Outlays from mandatory balances	32	60	43
87.00	Total outlays, gross	38	69	59
Net budget authority and outlays:				
89.00	Budget authority	62	67	73
90.00	Outlays	38	69	59

Object Classification (in millions of dollars)

Identification code 14-9924-0-2-303		2000 actual	2001 estimate	2002 estimate
Personnel compensation:				
11.1	Full-time permanent	5	5	5
11.3	Other than full-time permanent	1	1	1
11.9	Total personnel compensation	6	6	6
12.1	Civilian personnel benefits	1	1	1
23.3	Communications, utilities, and miscellaneous charges	2	2	2
25.2	Other services	25	52	57
25.4	Operation and maintenance of facilities	1	1	1
26.0	Supplies and materials	3	3	3
99.9	Total new obligations	38	65	70

Personnel Summary

Identification code 14-9924-0-2-303		2000 actual	2001 estimate	2002 estimate
1001	Full-time equivalent employment	160	165	165